

United States District Court
Eastern District of Michigan

United States of America

ORDER OF DETENTION PENDING TRIAL

v.

Eric Zeehandelaar /

Case Number: 07-30151

Defendant

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact**T** (1) I find that:

“ there is probable cause to believe that the defendant has committed an offense

“ for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;

T under 18 U.S.C. § 2422(b). (5-30 sentence range)

T (2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

“ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear

T I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

T I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

T (a) nature of the offense - Use of interstate commerce to attempt to induce a minor to engage in sexual activity.**T** (b) weight of the evidence - Very strong.**T** (c) history and characteristics of the defendant

T 1) physical and mental condition - Good physical health; questionable mental health re: sexual attraction to very young children.

T 2) employment, financial, family ties - Strong ties to California; supportive family; employment.

T 3) criminal history and record of appearance - No criminal record.

“ (d) probation, parole or bond at time of the alleged offense -

T (e) danger to another person or community - Although the defendant has no criminal history and enjoys the support of his family, the nature of the charged conduct represents a serious danger to the most vulnerable and least powerful segment of our society. The defendant is employed, but he utilized the assets of his business in furtherance of the charged conduct. He was able to keep his offense conduct a secret from his wife of many years. He is intelligent, well traveled and very competent in the use of computers. I doubt that any level of supervision would be sufficient to prevent him from posing a threat to children if he elects to act on his impulses.

Pretrial Services recommends detention and I believe the recommendation is sound.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: March 20, 2007

s/Donald A. Scheer*Signature of Judge*Donald A. Scheer, United States Magistrate Judge*Name and Title of Judge*